

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

(U 39 M)

Investigation 02-04-026
(Filed April 22, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
APPROVING THE REQUESTS OF
CONSUMERS UNION OF U.S., INC.,
AGLET CONSUMER ALLIANCE, AND THE
GREENLINING INSTITUTE AND LATINO ISSUES FORUM
TO BE FOUND ELIGIBLE FOR COMPENSATION**

I am going to make appropriate findings concerning the compensation requests of these three parties but I must express my concern regarding the estimates of fees in total and individually for the attorneys, consultants, and support staff. Remember – any award of compensation is to be reimbursed by the ratepayers and it is the Commission's duty to protect the ratepayers' interests. The intervenor compensation statute is not a bottomless well; nor is it a system where everyone receives the same compensation as that of the person in the highest particular class.

At the time compensation requests are made, I will expect the parties to include in their presentation billing information showing that the request is at

the same level as the person has received from the Commission and/or from other clients. See, Pub. Util. Code § 1803, § 1804(d), and § 1806.

I remind the parties: § 1801:

(f) This article shall be administered in a manner that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented or participation that is not necessary for a fair determination of the proceeding.

Now, therefore, good cause appearing, **IT IS RULED** that:

1. Aglet Consumer Alliance (Aglet) is a customer as defined in Pub. Util. Code § 1802(b); Aglet has made an adequate showing of significant financial hardship; Aglet has met the requirements of Pub. Util. Code § 1804(a) for eligibility for compensation; and Aglet is eligible for compensation in this proceeding.

2. The Greenlining Institute and Latino Issues Forum's supplemental NOI increasing their budget for outside experts by \$144,700 to \$169,700 is approved; Greenling/LIF's motion for a pre-approved finding of substantial contribution with respect to the \$144,700 in costs for outside expert and consultation services is denied; and Greenlining/LIF's request for authorization to periodically apply for interim awards of compensation from this Commission up to \$144,700 requested is approved.

3. Consumers Union of U.S., Inc. is a customer as defined in § 1802(b); has made a showing of significant financial hardship; and is eligible for compensation.

4. A finding of significant financial hardship in no way ensures eventual compensation, as explained in Pub. Util. Code § 1804(b)(2).

Dated August 20, 2003, at San Francisco, California.

/s/ ROBERT BARNETT

Robert Barnett
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Approving the Requests of Consumers Union of U.S., Inc., Aglet Consumer Alliance, and the Greenlining Institute and Latino Issues Forum to be Found Eligible for Compensation on all parties of record in this proceeding or their attorneys of record.

Dated August 20, 2003, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.